

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

**CINCINNATI INSURANCE
COMPANY**

Plaintiff,

V.

CV-3:06-CV-733-MHT

**JOSEPH DONALD PRATHER and
LINDA PRATHER
Defendants.**

PLAINTIFF'S INITIAL DISCLOSURES

COMES NOW, Plaintiff, Cincinnati Insurance Company, pursuant to Rule 26(a)(1), *Federal Rules of Civil Procedure*, and discloses the following information to Defendants, Don and Linda Prather:

1. Pursuant to Rule 26(a)(1)(A), *Federal Rules of Civil Procedure*, Plaintiff states that the individuals at the present time likely to have discoverable information pursuant to this action in this matter is a representative of Cincinnati Insurance Company, Linda Prather, Don Prather, Tracy Swader and Jason Swader. Cincinnati Insurance Company will have a representative knowledgeable about the policy of insurance at issue.
2. Pursuant to Rule 26(a)(1)(B), *Federal Rules of Civil Procedure*, Plaintiff states that the documents in its possession to support the allegations in the Complaint are as follows: policy # A 01 0134 532, issued to Don & Linda Prather; the Examination Under Oath of Don Prather; the Examination Under Oath of Linda Prather; the

Examination Under Oath of Tracy Swader; the Examination Under Oath of Jason Swader; and all the exhibits attached to those Examinations Under Oath.

3. Pursuant to Rule 26(a)(1)(C), *Federal Rules of Civil Procedure*, Plaintiff is not seeking damages but rather a Declaratory Judgment from this Honorable Court on this issue of coverage; therefore, there is no computation of damages to report nor any documents relating thereto.
4. Pursuant to Rule 26(a)(1)(D), *Federal Rules of Civil Procedure*, Plaintiff has already produced the applicable policy of insurance to the Defendants.

RESPECTFULLY SUBMITTED, this the 17th Day of November, 2006.

/s/ Jennifer T. Dewees
Jennifer T. Dewees (ASB1265S35J)
Attorney for Plaintiff, Cincinnati Insurance Company
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205-251-9958

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been electronically filed with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following on this the 17th day of November, 2006:

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Respectfully Submitted,

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